IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

Bail Appl..No. 3333 of 2007()

ST.1817/2006 of J.M.F.C.-II,PALAKKAD

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PETITIONER :

RAMACHANDRA SHENOY,
S/O.ACHUTHA SHENOY,.
RADHA NIVAS, PAKKATTIL HOUSE,
MUDAPALLUR POST,
PALAKKAD.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P
SRI.M.N.SAJEER

RESPONDENTS:

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1. M.PRABHAKARAN,
S/O.LATE SEKHARA MENON
PRASEEDA BHAVAN, MALAMALAMUKKU
ALATHUR TALUK.

2. STATE OF KERALA,
REP.BY SUB INSPECTOR OF POLICE,
POLICE STATION, PALAKKAD,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3333 OF 2007

Dated this the 31st day of May, 2007

O R D E R

Petitioner, who is the accused in S.T. Case No.1817/06 on the file of JFCM-II, Palakkad for an offence punishable under Sec.138 of the Negotiable Instruments Act, 1881, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in S.T. No.1817/06 on the file of the J.F.C.M.-II, Palakkad, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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